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POWELL, GOLDSTEIN (DTI-17)

NO. 935 P. 1

**POWELL
(GOLDSTEIN) LLP**

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DATE: 7 February 2007
TO: USPTO
FIRM NAME:
FACSIMILE NUMBER: 1.571.273.8300
TELEPHONE NUMBER:
FROM: Larry Colton
OUR FILE NUMBER: 148467.01001 (14690.010USA)
USPTO NUMBER: 10/807,961
NUMBER OF PAGES: 14

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NO. 935

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| | | | |
|---|----------------------|------------------------|--------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/807,961 | |
| | Filing Date | 03/24/2004 | |
| | First Named Inventor | GROSS | |
| | Art Unit | 1623 | |
| | Examiner Name | Maier, L.C. | |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | 148467.01001 |

| ENCLOSURES (Check all that apply) | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks This response is being submitted within the 3-month deadline ending 7 February 2007. No additional fees are required. Please direct any questions to the attorney of record, Laurence P. Colton, at 404.572.6710. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|--|----------------------|-----------------|
| Firm Name | POWELL GOLDSTEIN LLP | |
| Signature | | |
| Printed name | Laurence P. Colton | |
| Date | 7 February 2007 | Reg. No. 33,371 |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|--------------------|----------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Signature | | |
| Typed or printed name | Laurence P. Colton | Date 7 February 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 07 2007

UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATIONS

Applicant: Gross et al.

Application No.: 10/807,961

Filing Date: 03/24/2004

Title: TREATMENT AND PROPHYLAXIS
OF SEPSIS AND SEPTIC SHOCK

Art Unit: 1623

Examiner: Olson, E.

Confirmation No.: 4091

Customer No.: 25207

Docket No.: 148647.01001 (Old: 14690.007US)

RESPONSE

7 February 2007

Via Fax: +1.571.273.8300

Commissioner of Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

This is being submitted in response to the Office Action issued by Examiner Eric Olson of Art Unit 1623 dated 7 November 2006.

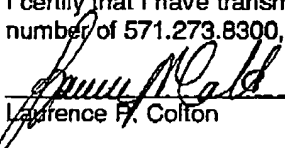
Status begins on page 2.

Summary of Fees Due begins on page 3.

Claims Amendments begins on page 4.

Remarks begin on page 11.

I certify that I have transmitted this document to the USPTO via facsimile to the central fax response number of 571.273.8300, this 7th day of February, 2007.



Lawrence F. Colton

STATUS

The above-captioned patent application is pending.

Claims 1-35 are pending.

Claims 27-33 are withdrawn.

Claims 1-26 and 34-35 are rejected.

SUMMARY OF FEES DUE**1. No Extension of Time Fees.**

This Response is being filed within the 3-month shortened statutory time period and no extension of time fee is due.

2. No Excess Claims Fees.

The fee for 35 total claims and 7 independent claims already has been submitted. As a result of this Response, there are X total claims and Y independent claims, and no excess claims fee is due.